

VIA: Hand Delivered

August 10, 2009

Daron Haddock, Permit Supervisor
STATE OF UTAH
Division of Oil, Gas & Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801

RE: 5-Year Permit Renewal Application
Wellington Preparation Plant (C/007/012)

Dear Coal Program Members:

Enclosed please find an application for permit renewal at the Wellington Preparation Plant pursuant to State Rule R645-303-230. The following information has been included in this package:

- Proof of Liability Insurance (see "**Attachment A**").
- Copy of the *draft* public notice announcing the permit renewal (see "**Attachment B**").
- Violation Update (see "**Attachment C**").
- Performance Bond Information (see "**Attachment D**").
The bond information has been included herein and has also been filed and can be reviewed at the offices of DOGM. Please note that there is a typographical error regarding the name of the permittee in Exhibit D of this information. We have discussed this with Angela Nance (DOGM) prior to this submittal and will have it corrected following your review.

Please call if you have questions or comments.

Sincerely,

Patrick D. Collins, Ph.D.
Resident Agent/Environmental Consultant

cc: T. Garcia C.E.M.
S. Trautmann, Esq.

RECEIVED

AUG 10 2009

DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☐ New Permit ☐ Renewal ☒ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: NEICO

Mine: Wellington Preparation Plant

Permit Number: C/007/012

Title: 5-Year Permit Renewal

Description, Include reason for application and timing required to implement:

As required in State Rule R645-303-230, this application has been provided at least 120 days prior to expiration of current bond term (December 10, 2009).

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- | | |
|---|---|
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 2. Is the application submitted as a result of a Division Order? DO# _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 4. Does the application include operations in hydrologic basins other than as currently approved? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 6. Does the application require or include public notice publication? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV # _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies? |
| <i>Explain:</i> _____ | |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 11. Does the application affect the surface landowner or change the post mining land use? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2) |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 15. Does the application require or include soil removal, storage or placement? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 19. Does the application require or include certified designs, maps or calculation? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 21. Have reclamation costs for bonding been provided? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 23. Does the application affect permits issued by other agencies or permits issued to other entities? |

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

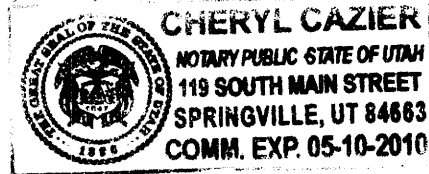
Patrick D. COLLINS
Print Name

Patrick Collins Res. Agent 5 Aug 09
Sign Name, Position, Date

Subscribed and sworn to before me this 5th day of August, 2009

[Signature]
Notary Public

My commission Expires: May 10, 2010
Attest: State of Utah } ss:
County of Utah



RECEIVED

AUG 10 2009

DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: NEICO

Mine: Wellington Preparation Plant

Permit Number: C/007/012

Title: 5-Year Permit Renewal Application

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED[illegible]

Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

See enclosed letter and "PERMIT RENEWAL APPLICATION FOR THE WELLINGTON PREPARATION PLANT" for explanations of the document.

Received by Oil, Gas & Mining

RECEIVED
AUG 10 2009

DIV. OF OIL, GAS & MINING

PERMIT RENEWAL APPLICATION FOR THE WELLINGTON PREPARATION PLANT

INTRODUCTION

As stated in the State Coal Mining Rules (R645-303-231) "a valid permit, issued pursuant to the State Program, will carry with it the right of successive renewal, within the approved boundaries of the existing permit, upon expiration of the term of the permit". The purpose of this document is to request a permit renewal of the Wellington Preparation Plant (C/007/012) through the State of Utah, Department of Natural Resources, Division of Oil, Gas & Mining (DOGM). This document has been filed to DOGM at least 120 days before expiration of the existing permit term as required in (R645-303-232.100). This document has been submitted August 10, 2009; the current permit expiration date is December 10, 2009.

RESULTS

Proof of Liability Insurance

As required in R645-303-232.220 evidence of a liability insurance policy must be submitted with the permit renewal application. A copy of this document is included as "*Attachment A*".

Newspaper Publication Notice

As stated in R645-303-232.240, a copy of the proposed newspaper notice announcing the Permit Renewal Application has been submitted with this document (see "*Attachment B*"). This notice has included information required in R645-300-121.100 of the State Coal Mining Rules. This copy will be reviewed for comments by DOGM prior to submittal for publication with the local newspaper.

Violation Update

A violation update for the past 5-year period was requested by DOGM. This update has been included with this document as "*Attachment C*".

Evidence of a Performance Bond

As required in R645-303-232.230 a performance bond must be in effect for the operation of the site pursuant to R645-301-800 and will continue in full force and effect for the permit renewal as well as any additional bond required by the DOGM. A copy of this bond information has been included with this application as "*Attachment D*".

ATTACHMENT A

(Proof of Insurance)

ACORDTM CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)

1/22/2009

PRODUCER

PRICE INSURANCE AGENCY
54 W. MAIN ST. PO BOX 871
PRICE, UT 84501-0871
435-637-3351

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE

NAIC#

INSURED

NEVADA ELECTRIC INVESTMENT CO.,
SIERRA PACIFIC CO., DBA: NV EMERGY
NEVADA POWER CO., DBA: NV ENERGY
PO BOX 98910
LAS VEGAS, NV 89151

INSURER A: COLONY INSURANCE COMPANY

INSURER B:

INSURER C:

INSURER D:

INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INBR LTR	ADDL INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE(MM/DD/YY)	POLICY EXPIRATION DATE(MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY	RENEWAL OF GL3645111	02/09/09	02/09/10	EACH OCCURRENCE	
	<input checked="" type="checkbox"/>	COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 1,000,000
	<input type="checkbox"/>	CLAIMSMADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person)	\$ EXCLUDED
	<input type="checkbox"/>					PERSONAL & ADV INJURY	\$ EXCLUDED
	<input type="checkbox"/>					GENERAL AGGREGATE	\$ 1,000,000
		GEN'L AGGREGATE LIMIT APPLIES PER:				PRODUCTS - COMP/OP AGG	\$ EXCLUDED
		<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					
		AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident)	\$
		<input type="checkbox"/> ANY AUTO				BODILY INJURY (Per person)	\$
		<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident)	\$
		<input type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident)	\$
		<input type="checkbox"/> HIRED AUTOS					
		<input type="checkbox"/> NON-OWNED AUTOS					
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	\$
		<input type="checkbox"/> ANY AUTO				OTHER THAN AUTO ONLY: EA ACC	\$
						AGG	\$
		EXCESS/UMBRELLA LIABILITY				EACH OCCURRENCE	\$
		<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMSMADE				AGGREGATE	\$
		<input type="checkbox"/> DEDUCTIBLE					\$
		RETENTION \$					\$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATU-TORY LIMITS	OTH-ER
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT	\$
		If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE	\$
		OTHER				E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

XCUI COVERAGES ARE INCLUDED IN FORM
\$500 DEDUCTIBLE BODILY INJURY/PROPERTY DAMAGE
LOCATION: WELLINGTON PREPARATION PLANT, PERMIT # C/007/012

CERTIFICATE HOLDER

STATE OF UTAH, DIVISION OF
OIL, GAS & MINING
1594 WEST NORTH TEMPLE SUITE #1210
SALT LAKE CITY, UT 84114-5801

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ~~NOTIFY~~ TO MAIL 45 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL

NOT CONSTITUTE CANCELLATION OR EXPIRATION OF ANY KIND UPON THE INSURED, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Mona Jaramillo

ATTACHMENT B

(Public Notice)

**PUBLIC NOTICE TO BE PUBLISHED IN THE SUN ADVOCATE
FOR THE WELLINGTON PREPARATION PLANT (ACT/007/OI12)**

*Submitted to the
State of Utah, Division of Oil, Gas & Mining
August 10, 2009*

Notice is hereby given that Nevada Electric Investment Company ("NEICO"), permittee and operator of the Wellington Preparation Plant (Permit No. C/007/O12) is submitting applications for permit renewal to the State of Utah, Division of Oil, Gas & Mining. The application for permit renewal is being sought under the provisions of R645-303-230. The permittee's mailing address is given below.

NEICO
6226 West Sahara Ave
Las Vegas, Nevada, 89146
Attn: Tony Garcia

The permit area is located at 6000 Wash Plant Road, City of Wellington, Carbon County, Utah. A total of 1573.5 acres are current in the permit area. A property description of the permit area is given below.

Township 15 South, Range 11 East, Salt Lake Base and Meridian:

Section 8	E1/2 SE1/4 (portions s. of Ridge Road), W1/2 SE1/4 (portions s. of Ridge Road; excl. portion n. of railroad tracks),
Section 9	S1/2, portions of S1/2 N1/2,
Section 10	W1/2 SW1/4,
Section 15	W1/2 NW1/4,
Section 16	All,
Section 17	E1/2 SE1/4, NE1/4.

The Mining and Reclamation Plan (MRP) can be reviewed at the address given below. Pertinent comments are solicited from anyone affected by this proposal. Such comments should be filed within the next thirty (30) days to the addresses below.

STATE OF UTAH
Department of Natural Resources
Division of Oil, Gas & Mining
1594 West No. Temple, Suite 1210
Salt Lake City, Utah 84114-5801

To be published in the Sun Advocate, Price, UT 84501

ATTACHMENT C

(Violation Update)

UPDATED VIOLATION INFORMATION

The following was the only Notice of Violation (NOV) that was issued to NEICO at the Wellington Prep Plant property over the past 5-year period.

- N06-37-1-1
“Failure to operate Dryer Pond in accordance with the approved plan” (NOV was dated July 7, 2006).
- NOV was *vacated* in Findings of Fact Conclusions dated December 8, 2006.

ATTACHMENT D

(Performance Bond Information)



May 20, 2009

Ms. Angela Nance
State of Utah, Department of Natural Resources
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, UT 84116

**RE: Nevada Electric Investment Company (NEICO)
Wellington Preparation Plant – Revised Reclamation Bond**

Dear Ms. Nance,

Enclosed please find a signed "*Stipulation to Revise Reclamation Agreement*" for the Nevada Electric Investment Company's (NEICO), Wellington Preparation Plant (Permit No. ACT/007/012).

This submittal is to document the policy transfer from Fidelity and Deposit Company of Maryland filed with your office in a letter dated October 21, 2008 to Bond Safeguard Insurance Company.

Also enclosed are signed copies of the following:

- 1) Affidavit of Qualification – Permittee
- 2) Affidavit of Qualification – Surety Company
- 3) Surety Bond Rider – from Bond Safeguard Insurance Company
- 4) Surety Power of Attorney – from Bond Safeguard Insurance Company

If you have any questions, please contact me directly at 702-402-5767.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony D. Garcia".

Tony D. Garcia, C.E.M.
Manager, Environmental Services
Nevada Power Company d/b/a NV Energy

cc: NEICO File
K. Cresto

RECEIVED

MAY 21 2009

DIV. OF OIL, GAS & MINING



JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

July 13, 2009

CERTIFIED MAIL
7005 2570 0000 4801 6898

Tony Garcia, Manager
Nevada Power Company
6226 West Sahara Avenue
Las Vegas, Nevada 89146

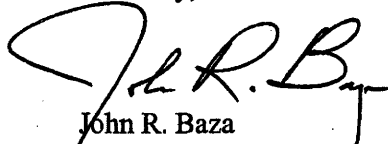
Subject: Release of Surety Bond #4013097 – Fidelity and Deposit Company of Maryland,
Wellington Prep Plant, C/007/0012, Nevada Electric Investment Company

Dear Mr. Garcia:

Enclosed please find original bond #4013097 issued by Fidelity and Deposit Company of Maryland. Bond #5035659 issued by Bond Safeguard Insurance Company in the amount of \$5,153,000 has been accepted as the replacement bond to guarantee reclamation at the Wellington Prep Plant.

If you have any questions, please call Angela Nance at (801) 538-5264.

Sincerely,


John R. Baza
Director

An
Enclosure
cc: Price Field Office w/o
O:\007012.WELAFINAL\ReturnReleaseSurety.doc



EXHIBIT "D"

Stipulation to Revise Reclamation Agreement (Non-Federal)

Exhibit "D"
Stipulation to Revise
Reclamation Agreement
Non-Federal

Permit Number: C/007/0012

Effective Date: 04/16/2009

Bond Number: 5035659

COAL

STIPULATION TO REVISE RECLAMATION AGREEMENT

--ooOOoo--

This **STIPULATION TO REVISE RECLAMATION AGREEMENT** entered into by and between the **PERMITTEE** and **DIVISION** incorporates the following revisions or changes to the **RECLAMATION AGREEMENT**: (Identify and Describe Revisions below)

Transfer of surety bond from Fidelity and Deposit Company of Maryland to Bond Safeguard Insurance Company.

In accordance with this **STIPULATION TO REVISE RECLAMATION AGREEMENT**, the following Exhibits have been replaced by the **PERMITTEE** and are approved by the **DIVISION**.

- ☐ Replace the Reclamation agreement in its entirety.
- ☐ Replace Exhibit "A"- permit area.
- ☒ Replace Exhibit "B"- bonding agreement
- ☐ Replace Exhibit "C"- liability insurance

The bonding amount is revised from \$_____ to \$_____.

The bonding type is changed from _____ to _____.

The surface disturbance is revised from _____ acres to _____ acres.

The expiration date is revised from _____ to _____.

The liability insurance carrier is changed from _____ to _____.

The amount of insurance coverage for bodily injury and property damage is changed from \$_____ to \$_____.

Exhibit "D"
Stipulation to Revise
Reclamation Agreement
Non-Federal

from \$_____ to \$_____.

IN WITNESS WHEREOF, Roberto the PERMITTEE has hereunto set its
signature and seal this 29 day of May, 2009.

Roberto Denis
PERMITTEE

By: [Signature]

Title: PRESIDENT OF NEICO

ACCEPTED BY THE STATE OF UTAH this 14th day of July, 2009.

[Signature]
Director, Division of Oil, Gas and Mining

NOTE: An Affidavit of Qualification must be completed and attached to this form for each authorized agent or officer. Where one signs by virtue of Power of Attorney for a company, such Power of Attorney must be filed with this Agreement. If the PERMITTEE is a corporation, the Agreement shall be executed by its duly authorized officer.

Bond Number: 5035659

EXHIBIT "B"
SURETY BOND
(NON-FEDERAL COAL)
--ooOOoo--

This **SURETY BOND** entered into by and between the undersigned **PERMITTEE/PRINCIPAL** Nevada Electric Investment Company, and **SURETY Bond** Safeguard Insurance Company, hereby jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns unto the State of Utah, Division of Oil, Gas & Mining (**DIVISION**) in the penal sum of (\$5,153,000.00) Five Million One Hundred Fifty-Three Thousand and NO/100 Dollars (\$) (Surety Bond Amount) for the timely performance of reclamation responsibilities of the surface disturbance described in Exhibit "A" of the Reclamation Agreement.

This **SURETY BOND** will remain in effect until all of the **PERMITTEE'S/PRINCIPAL'S** reclamation obligation have been met and released by the **DIVISION** and is conditioned upon faithful performance of all of the requirements of the Act, the applicable rules and regulations, the approved permit, and the **DIVISION**.

The **SURETY** will not cancel this bond at any time for any reason, including non-payment of premium or bankruptcy of the Principal during the period of liability.

The **SURETY** and their successors and assigns, agree to guarantee the obligation and to indemnify, defend, and hold harmless the **DIVISION** from all expenses which the **DIVISION** may sustain as a result of the **PERMITTEE'S/PRINCIPAL'S** failure to comply with the condition(s) of the reclamation obligation.

The **SURETY** will give prompt notice to the **PERMITTEE/PRINCIPAL** and to the **DIVISION** of any notice received or action alleging the insolvency or bankruptcy of the **SURETY**, or alleging any violations or regulatory requirement which could result in suspension or revocation of the **SURETY'S** license.

Terms for release or adjustment of the **BOND** are as written and agreed to by the **DIVISION** and the **PERMITTEE/PRINCIPAL** in the **RECLAMATION AGREEMENT** incorporated by reference herein, to which this **SURETY AGREEMENT** has been attached as Exhibit "B".

IN WITNESS WHEREOF, the **PERMITTEE/PRINCIPAL** has hereunto set it's signature and seal this 4th day of May, 2009.

Nevada Electric Investment
Company

PERMITTEE/PRINCIPAL

By: 

Exhibit "B"
Non-Federal Surety Bond
Non-Federal


PRESIDENT OF NEICO
Title:

Bond Number: 5035659

IN WITNESS WHEREOF, the SURETY has hereto set it's signature and seal
this 16th day of April, 2009.

Bond Safeguard Insurance
Company

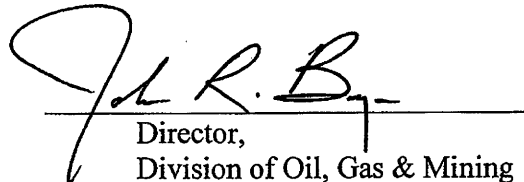
SURETY

By: 

David G. Jensen
Attorney-in-Fact

Title:

ACCEPTED BY THE STATE OF UTAH:


Director,
Division of Oil, Gas & Mining

NOTE: An Affidavit of Qualification must be completed and attached to this form for each authorized agent or officer. Where one signs by virtue of Power of Attorney for a company, such Power of Attorney must be filed with this Agreement. If the **PERMITTEE/PRINCIPAL** is a corporation, the Agreement shall be executed by it's duly authorized officer.

**AFFIDAVITS
OF
QUALIFICATION**

Bond Number 5035659

**AFFIDAVIT OF QUALIFICATION
PERMITTEE**
--ooOOoo--

I, ROBERTO R. DENIS being first duly sworn under oath, deposes and says that he/she is
the (officer or agent) PRESIDENT of NEICO;
and that he/she is duly authorized to execute and deliver the foregoing obligations; and that said
PERMITTEE is authorized to execute the same and has complied in all respects with the laws of
Utah in reference to commitments, undertakings and obligations herein.

Attest: [Signature]
Secretary of the Corporation

[Signature]
(Signed)
Name - Position
ROBERTO R. DENIS
PRESIDENT

STATE OF NEVADA)

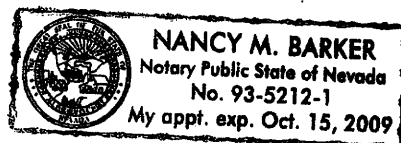
COUNTY OF CLARK) ss:

Subscribed and sworn to before me this 4th day of May, 2009.

[Signature]
Notary Public

My Commission Expires:

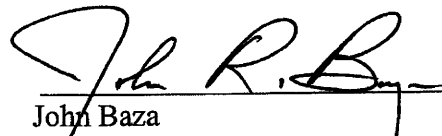
Oct 15, 2009



Bond Number 5035659

**AFFIDAVIT OF QUALIFICATION
DIRECTOR
--ooOOoo--**

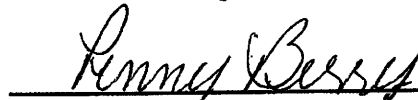
John Baza, being first duly sworn under oath, deposes and says that he is the Director for the Division of Oil, Gas and Mining, Department of Natural Resources, State of Utah; and that he is duly authorized to execute and deliver the foregoing obligations; and that said Acting Director is authorized to execute the same by authority of laws on behalf of the State of Utah.



John Baza
Director, Division of Oil, Gas and Mining

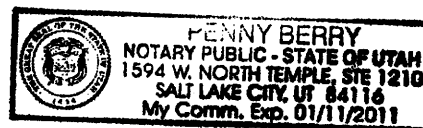
STATE OF Utah)
COUNTY OF Salt Lake) ss:

Subscribed and sworn to before me this 14 day of July 2009.


Notary Public

My Commission Expires:

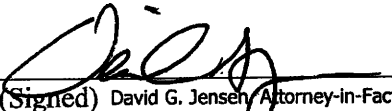
1/11, 2011.



Bond Number 5035659

**AFFIDAVIT OF QUALIFICATION
SURETY COMPANY
--ooOOoo--**

I, David G. Jensen, being first duly sworn under oath, deposes and says that he/she is the (officer or agent) Attorney-in-Fact of Bond Safeguard Insurance Company; and that he/she is duly authorized to execute and deliver the foregoing obligations; and that said SURETY COMPANY is authorized to execute the same and has complied in all respects with the laws of Utah in reference to becoming sole surety upon bonds, undertakings and obligations herein.


(Signed) David G. Jensen, Attorney-in-Fact
Surety Company Officer - Position

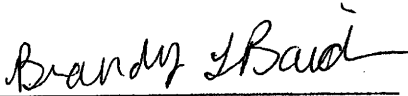
Attest:

STATE OF Arizona)

) ss:

COUNTY OF Maricopa)

Subscribed and sworn to before me this 16th day of April, 20 09.


Notary Public Brandy L. Baich

My Commission Expires:

April 30, 20 12.



Bond Number 5035659

POWER OF ATTORNEY

AO 30611

POWER OF ATTORNEY
Bond Safeguard INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS, that **BOND SAFEGUARD INSURANCE COMPANY**, an Illinois Corporation with its principal office in Lombard, Illinois, does hereby constitute and appoint: David G. Jensen, Maryann Carafello, *****
Brandy L. Baich, Ethan Mitchell Baker *****

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surely, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **BOND SAFEGUARD INSURANCE COMPANY** on the 7th day of November, 2001 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond, \$ 6,000,000.00 Six million dollars *****

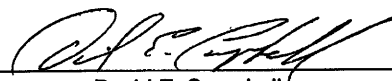
which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Vice President, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **BOND SAFEGUARD INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate seal to be affixed this 7th day of November, 2001.



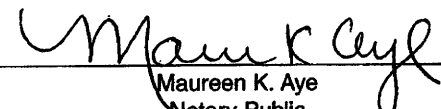
BOND SAFEGUARD INSURANCE COMPANY

BY 
David E. Campbell
President

ACKNOWLEDGEMENT

On this 7th day of November, 2001, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of **BOND SAFEGUARD INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

"OFFICIAL SEAL"
MAUREEN K. AYE
Notary Public, State of Illinois
My Commission Expires 09/21/09

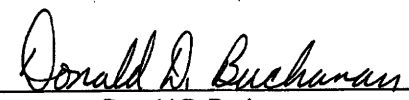

Maureen K. Aye
Notary Public

CERTIFICATE

I, the undersigned, Secretary of **BOND SAFEGUARD INSURANCE COMPANY**, An Illinois Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Lombard, Illinois this 16th Day of April, 20 09




Donald D. Buchanan
Secretary

BOND RIDER

TO BE ATTACHED TO AND FORM PART OF BOND

BOND NO.: 4013097

OBLIGEE: State of Utah, Division of Oil, Gas & Mining

PRINCIPAL: Nevada Electric Investment Company

IT IS AGREED THAT, in consideration of the original premium charged for this bond, and any additional premium that may be properly chargeable as a result of this rider.

Bond amount is increased:

From: Four Million Nine Hundred Four Thousand and NO/100 Dollars (\$4,904,000.00)

To: Five Million One Hundred Fifty-Three Thousand and NO/100 Dollars (\$5,153,000.00)

PROVIDED, however, that the attached bond shall be subject to all its agreements, limitations, and conditions except as herein expressly modified, and that the liability of the Surety under the attached bond and under the attached bond as charged by this rider shall not be cumulative.

SIGNED AND SEALED: March 7, 2008

Nevada Electric Investment Company
Principal

By: 

Fidelity and Deposit Company of Maryland
Surety

By: 
David G. Jensen, Attorney-in-Fact

